

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: Not Yet Known
Applicant: Michael Gordon and Wade W. Bernreuter
Filed: concurrently herewith
Title: MULTI-WALL HEAT EXCHANGER FOR A WATER HEATER
TC/A.U.:
Examiner:

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

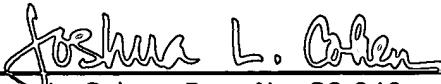
Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith. A copy of each of the listed foreign references and non-patent documents are also enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Respectfully submitted,



Joshua L. Cohen, Reg. No. 38,040
Attorney for Applicants

JLC/dhm

Enclosures: PTO Form 1449
7 cited references

Dated: December 29, 2003

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500

EXPRESS MAIL

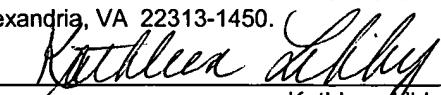
Mailing Label Number:

EV351886185US

Date of Deposit:

December 29, 2003

I hereby certify that this paper and fee are being deposited, under 37 C.F.R. § 1.10 and with sufficient postage, using the "Express Mail Post Office to Addressee" service of the United States Postal Service on the date indicated above and that the deposit is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Kathleen Libby

Kathleen Libby

Substitute for Form 1449A/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	Not Yet Known
		Filing Date	concurrently herewith
		First Named Inventor	Michael Gordon
		Art Unit	
		Examiner Name	
SHEET 1 of 5		Attorney Docket No.	BWC-106US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-1,070,175	08/12/1913	W.B.D. Ponninghaus	entire document
	2	US-1,240,101	09/11/1917	A.H. Thompson	entire document
	3	US-1,255,835	02/05/1918	H.G. Shaug	entire document
	4	US-1,959,933	05/22/1934	J.S. Simsohn	entire document
	5	US-2,252,046	08/12/1941	W.L. Steele	entire document
	6	US-2,255,956	09/16/1941	O.G. Watt	entire document
	7	US-2,303,197	11/24/1942	H.R. Canfield	entire document
	8	US-2,327,339	08/24/1943	E.F. Chandler	entire document
	9	US-2,345,209	03/28/1944	R.E. Moore	entire document
	10	US-2,348,610	05/09/1944	C.W. Colby	entire document
	11	US-2,348,835	05/16/1944	M.L. Mueller	entire document
	12	US-2,359,547	10/03/1944	C.W. Colby	entire document
	13	US-2,373,731	04/17/1945	J.A. Wilson et al.	entire document
	14	US-2,399,985	05/07/1946	E. F. Chandler	entire document
	15	US-2,533,508	12/12/1950	W.I. Riu	entire document
	16	US-2,539,469	01/30/1951	M.A. Powers	entire document
	17	US-2,569,757	10/02/1951	P. Gubson	entire document
	18	US-2,642,046	06/16/1953	C.Z. Alexander	entire document
	19	US-2,704,188	03/15/1955	R.L. Bergmann	entire document
	20	US-3,171,597	03/02/1965	J.F. Baier	entire document

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		DE 39 06 715 A1 (English Abstract included)	09/06/1990	Rohner	entire document	<input type="checkbox"/>
		DE 24 30 825	01/08/1976	Kunzel	entire document	<input type="checkbox"/>
		FR 2412807	07/20/1979	Baeckeroot	entire document	<input type="checkbox"/>
		FR 2 469 667 (English Abstract included)	05/29/1981	Amthor, Jr.	entire document	<input type="checkbox"/>
		JP 57-49760 (English Abstract included)	03/23/1982	Toru	Entire document	<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent

Substitute for Form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(Use as many sheets as necessary)*

SHEET 2 of 5

Attorney Docket No. BWC-106US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-3,201,045	08/17/1965	W. Davidson et al.	entire document
		US-3,254,839	06/07/1966	B.E. McClanahan et al.	entire document
		US-3,341,122	09/12/1967	A. Whittell, Jr.	entire document
		US-3,492,461	01/27/1970	Willis Thompson Lawrence	entire document
		US-3,545,534	12/8/1970	Harold John Coles	entire document
		US-3,793,992	02/26/1974	Fidencio G. Marquez	entire document
		US-3,828,847	08/13/1974	Robert E. Stein	entire document
		US-3,882,693	05/13/1975	Donald E. Hiller	entire document
		US-3,896,992	07/29/1975	Borovina et al.	entire document
		US-3,958,755	05/25/1976	Clarence W. Cleer, Jr.	entire document
		US-4,030,540	06/21/1977	Carlo Roma	entire document
		US-4,037,785	07/26/1977	Jean-Pierre Madern	entire document
		US-4,052,000	10/04/1977	Terence C. Honikman	entire document
		US-4,149,673	04/17/1979	William H. Hapgood	entire document
		US-4,158,438	06/19/1979	William H. Hapgood	entire document
		US-4,167,211	09/11/1979	Dieter Haller	entire document
		US-4,193,180	03/18/1980	Irving D. Press	entire document
		US-4,202,406	05/13/1980	Alfred J. Avery	entire document
		US-4,238,873	12/16/1980	Matthew W. Frank et al.	entire document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND T :
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 3 of 5

Complete if Known

Application Number	Not Yet Known
Filing Date	concurrently herewith
First Named Inventor	Michael Gordon
Art Unit	
Examiner Name	

Attorney Docket No. BWC-106US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (If known)			
		US-4,253,446	03/03/1981	Müller	entire document
		US-4,267,826	05/19/1981	William H. Hitt, Jr.	entire document
		US-4,273,160	06/16/1981	David C. Lowles	entire document
		US-4,282,861	08/11/1981	Charles F. Roark	entire document
		US-4,296,799	10/27/1981	Richard S. Steele	entire document
		US-4,309,982	01/12/1982	Bernard Oquidam	entire document
		US-4,328,791	05/11/1982	Henry J. Moore, Jr. et al.	entire document
		US-4,345,583	08/24/1982	Claude Morin	entire document
		US-4,353,410	10/12/1982	Pierre Godard et al.	entire document
		US-4,426,037	01/17/1984	Lennart Bernstein	entire document
		US-4,461,347	07/24/1984	Howard M. Layton et al.	entire document
		US-4,480,631	11/6/1984	H. Kristensen	entire document
		US-4,545,365	10/08/1985	Otto K. Wetzel, Jr.	entire document
		US-4,637,347	01/20/1987	Leonard Troy	entire document
		US-4,738,394	04/19/1988	Chester D. Ripka et al.	entire document
		US-4,821,682	04/18/1989	Larry G. Waters	entire document
		US-4,949,680	08/21/1990	Hemant D. Kale	entire document
		US-4,972,902	11/27/1990	Susuma Ninomiya	entire document
		US-5,037,510	08/06/1991	Nils Nygards	entire document
		US-5,081,696	01/14/1992	Beck	entire document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)				
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

Examiner Signature		Date Considered
--------------------	--	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

<p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.</p> <p>Substitute for Form 1449/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>		
Complete if Known		
Application Number	Not yet known	
Filing Date	Concurrently herewith	
First Named Inventor	Michael Gordon	
Art Unit		
Examiner Name		
SHEET 4 of 5	Attorney Docket No.	BWC-106US

U.S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

5Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

<p>Substitute for Form 1449/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(Use as many sheets as necessary)</i></p>	Complete if Known	
	Application Number	Not Yet Known
	Filing Date	concurrently herewith
	First Named Inventor	Michael Gordon
	Art Unit	
	Examiner Name	
SHEET 5 of 5	Attorney Docket No.	BWC-106US

NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO:**
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.